

**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
WEDNESDAY, MARCH 14, 2012 – 6:30 P.M.
CITY HALL CITY COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

Board Members	Attendance	Cumulative Attendance 6/2011 through 5/2012	
		Present	Absent
Diana Waterous Centorino, Chair	P	8	1
Michael Madfis, Vice Chair	P	7	2
Caldwell Cooper	P	9	0
Karl Shallenberger	A	8	1
Henry Sniezek	A	7	2
Fred Stresau	P	8	1
Birch Willey	P	9	0
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Alternates			
Roger Bond	P	5	0
Sharon A. Zamojski	P	8	1
Charlie Ladd	P	1	0

Staff

Bob Dunckel, Assistant City Attorney
Gail Jaggesar, Administrative Aide
Mohammed Malik, Chief Zoning Plans Examiner
Greg Brewton, Planning and Zoning Director
B. Chiappetta, Recording Secretary, Prototype Inc.

Communication to the City Commission

None.

Purpose: Section 47-33.1.

The Board of Adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The Board of Adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

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Call to Order

Chair Centorino called the meeting to order at 6:30 p.m. She introduced Board members and determined a quorum was present.

Approval of Minutes – February 2012

Motion made by Mr. Madfis, seconded by Mr. Willey, to approve the minutes of the Board's February 2012 meeting. In a voice vote, motion passed unanimously.

Board members disclosed communications they had and site visits made regarding items on the agenda.

All individuals wishing to speak on the matters listed on tonight's agenda were sworn in.

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1. **APPEAL NO. 11-03 (Deferred from September 14, 2011)**

APPLICANT: Louis James
LEGAL: Lots 1-4, less the Right-of-Way for Sistrunk Blvd. together with Lots 47-50, Block 4 of Lincoln Park corrected Plat, according to the Plat thereof, as recorded in Plat Book 5, Page 2.
ZONING: RC-15 (Residential Single Family/Cluster Dwellings/Low Medium Density District) & CB (Community Business District)
STREET: 1447 NW 6th Street
ADDRESS: Fort Lauderdale, FL
DISTRICT: 3

APPEALING: Section 47-20.11.A (Geometric standards)
Requesting a variance to permit a 23-foot drive aisle width on the East side of the Building, where Code requires a minimum of 24-foot drive aisle width.

Ira Marcus, attorney for the applicant, requested a deferral to allow the applicant time to meet with Commissioner DuBose. Mr. Marcus stated Commissioner DuBose had a meeting scheduled to discuss this with neighborhood representatives. Mr. Marcus said the request met all of the criteria for a variance.

Mr. Cooper asked Mr. Marcus how meeting with Commissioner DuBose would help the applicant in regard to the variance request. Mr. Marcus requested 60 days, and explained they were meeting with Commissioner DuBose at the direction of Mayor Seiler. He believed that by "having Commissioner DuBose weigh in on this, he might quell any of the objections that were voiced at the last hearing" by some of the nearby homeowners associations.

Mr. Madfis was unsure why a City Commissioner needed to weigh in on this item; the Board of Adjustment was the proper group to evaluate whether a variance should be granted. Mr. Marcus said it seemed the Board could be influenced by members of the public who opposed the variance request and Mr. Marcus wanted to allow Commissioner DuBose the opportunity to review the issue to see how it affected his district residents.

Mr. Brewton said Commissioner DuBose was aware of this item, and staff encouraged applicants to meet with their district commissioners. He stated staff had met with the applicant many times over the past two years and he felt a decision must be made.

Mr. Willey said this was not "a question of not following a Commissioner's wish or trying to get to a Commissioner or the Mayor; this particular Board doesn't go to the Commission anyway...our action is the final action."

Motion made by Mr. Madfis, seconded by Mr. Stresau to defer. In a roll call vote, motion **failed** 0-7.

Mr. Marcus stated there was new information regarding the hardship related to the unique zoning characteristics of the parcel. He said the store owner, Tarek Bahlawan, had been informed by the Planning and Zoning Department prior to signing the lease that he could open a convenience store in this location. Mr. Bahlawan had been granted a building permit, an alcoholic beverage license and a business tax receipt after stating this would be a market/grocery/convenience store. Mr. Marcus stated one month after Mr. Bahlawan opened the store, the City admitted it had made a mistake.

Mr. Marcus stated the unique character of the parcel was the reason it could not satisfy the parking requirement. He explained that part of the parcel was zoned RC-15 and part was zoned commercial. The property owner and store owner had applied to the Planning and Zoning Board to have the rear lot rezoned for parking but this had been denied. Mr. Marcus said the Planning and Zoning Department had denied their request to rezone the parcel to XP.

Mr. Marcus said having a parking agreement with the lot across the street could satisfy the parking requirements, but they still needed a variance for the drive aisle.

Mr. Marcus stated there was some law "that says a city should not open a welcome mat to investors and people and property owners and lead them down the path... and then...pull that welcome mat out from under him..."

Mr. Marcus asked the Board to consider the criteria and the fact that the issues at the property were not created by the property owner or the business owner and to grant the variance.

Mr. Madfis recalled the Board had wanted Mr. Marcus to get the parking reduction before moving forward with this request. Mr. Madfis felt this project would work at 23 feet.

Mr. Cooper said there was no backup regarding the statements Mr. Marcus had made about Mr. Bahlawan's having been issued the building permit and the business license. Mr. Marcus offered to submit these, as well as the alcoholic beverage permit application into the record.

Chair Centorino asked if this variance would resolve the parking issue. Mr. Marcus said they must get this variance and the parking agreement, which the Planning and Zoning Department was reviewing now. He said the City would not sign off on the parking agreement unless they also had the variance.

Mr. Brewton asked Mr. Marcus to produce the application for the building permit that was granted to Mr. Bahlawan to convert the restaurant to a convenience store. Mr. Brewton said Mr. Bahlawan had been given a business tax license, not a building permit. He stated Mr. Bahlawan had claimed to be operating a grocery store and there had been complaints that he was operating a convenience store. Code Compliance had responded and the City informed Mr. Bahlawan he must go through a change of use process. Mr. Brewton disagreed with Mr. Marcus' contention that the City had "misled your client to go out and spend a bunch of money based on a building permit approval that was granted to him."

Mr. Marcus said staff had informed Mr. Bahlawan verbally that he could put a convenience store in this location when he inquired. Mr. Marcus felt business owners must be able to rely upon the authority of staff when asking such questions. He did not feel staff had intentionally misled Mr. Bahlawan. Mr. Brewton said staff could state what a permitted use was in a particular location, but staff could not make an evaluation regarding parking without a site plan.

Mr. Bahlawan said staff had informed him that he could open a convenience store in this location and told him how much parking was needed. Staff had advised him to call

this a market or grocery store, not a convenience store. He had received permits, the business tax license and the alcohol/tobacco license. One month after opening, the problems had begun with Code Enforcement. Mr. Brewton said the employees to whom Mr. Bahlawan referred had advised him they had not told Mr. Bahlawan he could open a convenience store and had not specified the parking requirements.

Mr. Marcus said Terry Burgess had admitted that the City had made a mistake. Mr. Marcus stated he did not want to file a lawsuit but he could not allow his client to lose \$450,000.

Mr. Dunckel said there were two District Court of Appeal cases regarding situations with similar circumstances. In these cases, the Court had ruled that they would "not allow a minor administrative official to re-write the zoning code that was adopted by the city commission." Mr. Dunckel said there was another case in Lauderdale-By-The-Sea in which a property owner had been granted permission by the City Commission that was contrary to the city's ordinances. The Court had ruled in that case that the City Commission could not do this in violation of their own ordinances. He reminded Mr. Marcus that the City of Fort Lauderdale's ULDR included the following: The issuance or granting of a permit or approval of plans or specifications shall not be deemed or construed to be a permit for or an approval of any violation of any of the provisions of the ULDR.

Mr. Marcus recalled the case of Gus Boulis, who had been granted an accessory use to a restaurant to have gambling ships originate at the restaurant's docks. In that case, it had been decided that the City of Hollywood could not revoke the accessory use permit when it had tried.

Mr. Dunckel advised the Board that it should look at the geometrics and apply the code criteria to the variance rather than placing heavy reliance on the estoppel argument.

Mr. Stresau confirmed that this request only concerned the four or five spaces to the east of the building that required a 24-foot drive aisle in order to back up.

Mr. Willey felt they could give the owner 6 inches and take 6 inches from the City where grass landscape area was located and it would not make much difference when drivers backed up into a 23.5-foot drive aisle as opposed to a 24-foot drive aisle. Mr. Brewton said the CRA had developed a plan to promote a consistent streetscape on Sistrunk Boulevard.

Mr. Marcus confirmed for Mr. Madfis that they would need offsite parking or they must adjust the loading zone area. He said the City had a site plan for the offsite parking and was reviewing it. Mr. Madfis wanted to be sure Mr. Marcus understood that the offsite parking, as well as the site plan must be approved for the building permit. Mr. Marcus stated he understood this. Mr. Madfis asked if the underlying land use for this property

was Regional Activity Center (RAC). Mr. Brewton said the land use was RAC but the zoning was residential.

Chair Centorino opened the public hearing.

Joan Hinton said Mr. Bahlawan had met with the Durrs Community Association and they approved of the store. She also personally agreed with it.

At 7:38 City Manager Feldman was in attendance at the meeting.

Michael Winer, attorney for the Durrs Community Association, said the Board should consider the hardship to the community if the Board denied the variance request and the store was forced to close. He submitted a letter from the association President, Mickey Hinton.

Mr. Winer said the City Commission had adopted a moratorium on convenience stores and he felt this had given a group of existing convenience stores a monopoly and allowed them to inflate their prices. Mr. Winer felt that denying this application would drive this market out of the neighborhood and reduce competition.

Mr. Brewton confirmed that there would be a "major chain" grocery store moving into the neighborhood soon.

Mickey Hinton said it was time to make a decision. He said the neighborhood approved of this.

Sonia Burrows said she operated a business two blocks west of the store and she lived a few blocks away. Ms. Burrows stated Sistrunk Boulevard divided the Durrs and Dorsey Riverbend neighborhood, so it had been a good idea for the owner to consult with both associations. Ms. Burrows applauded the store owner for his entrepreneurial spirit but said the area was not lacking in convenience stores; it was lacking in restaurants and other retail. She stated there was police activity in the area of this store and asked the Board to consult the Police Department before making their decision. Ms. Burrows said she opposed the variance to "continue the type of operation that we don't really want."

Addie Owens said she had grown up in Fort Lauderdale and now lived in Lauderhill. She said the neighborhood deserved something better.

Eddie Campbell said she lived in Fort Lauderdale and had grown up near this property. She claimed that some of the convenience stores in the area gave people \$50 cash in return for \$100 worth of food stamps.

There being no other members of the public wishing to address the Board on this item,

Chair Centorino closed the public hearing and brought the discussion back to the Board.

Mr. Stresau referred to Mr. Willey's suggestion and said they should not consider reducing the drive aisle but they should change the dimension of the landscape area between the west side of the sidewalk and the face of the parking area and leave a 24-foot drive aisle.

Mr. Cooper disagreed and remarked that this did not fit the vision of redevelopment in the area. He said this was a self-imposed hardship.

Mr. Madfis stated there would be a dimensional issue whether this was a convenience store or not. He said they could allow a one-foot overhang into the landscaping. He stated the other issues were important but they were not for the Board to consider now.

Motion made by Mr. Madfis, seconded by Mr. Stresau to approve the request as presented.

Mr. Dunckel said he sensed the Board had consensus to grant some form of relief and suggested they decide on the best avenue to pursue to accomplish that result.

Mr. Madfis felt they could leave the parking lot the way it was, and added that he did not feel parking would be an issue at the store. An audience member informed him that at night there was not sufficient parking in the lot.

Mr. Brewton stated the entire CRA plan did not include this type of use and there was currently a moratorium against it. He said, "This is a parking requirement for a use that can't meet it." Mr. Dunckel said this translated into a self-created hardship.

In a roll call vote, motion **failed** 1-6 with only Mr. Madfis voting in favor.

Motion made by Mr. Stresau, seconded by Mr. Willey to reconsider the Board's vote.

Mr. Stresau said his previous suggestion made sense and they should allow one foot to be taken from the landscape area. Mr. Marcus said if the Board wished, they would modify the application to request the variance allow a one-foot overhang encroachment into the landscape buffer. Mr. Dunckel said the Board did not have jurisdiction to consider that this evening.

Mr. Marcus objected to Mr. Brewton's continued objections to the request after public input had been closed; he felt this "may have tainted the entire proceeding."

Mr. Cooper said this was not about the one foot in the drive aisle; it was about the entire community.

In a roll call vote, motion to reconsider **failed** 3 - 4 with Ms. Zamojski, Mr. Bond, Mr. Cooper and Chair Centorino opposed.

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2. APPEAL NO. 12-11

APPLICANT: Martino and Rosetta Petreccia
LEGAL: Bermuda-Riviera sub of Galt Ocean mile, first add 40-12 B Lot 4 Blk L
ZONING: RS-8 (Residential Single Family Low Medium Density District)
STREET: 3333 NE 38 ST
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: Section 47-19.3 (Boat slips, docks, boat davits, hoists and similar mooring structures)

Requesting a variance to allow a dock to be constructed at an elevation of 9.0' above NGVD 29 where code states that the top surface of a boat slip, seawall or dock shall not exceed five and one-half (5½) feet above NGVD 29, except when the adjacent property is higher than five and one-half (5½) feet above the NGVD 29. When above NGVD 29, the top surface may be of the same elevation as the average grade of the upland property abutting the seawall or dock and properties abutting either side of the upland property.

Brie Cokos, representative of the owners, explained that they wanted to put the dock in the same footprint it had occupied before a storm demolished the dock and retaining wall in October 2011. Ms. Cokos said the original dock had been installed in 2002. This issue had been presented then and the City had granted the dock permit because the abutting property was at the same elevation.

Ms. Cokos stated the Petreccias had replaced the retaining wall at the same elevation after the 2011 storm. They now wanted to rebuild the dock as it had been permitted in 2002. She noted the same circumstances existed today as had existed in 2002.

Ms. Cokos explained that the retaining was built on top of the sea wall and was at 9 feet NGVD. She said the retaining wall was another 4 feet on top of the sea wall.

Ms. Cokos informed Mr. Willey that the dock would be level with the top of the retaining wall. She said a stairway would be needed to access a boat at the dock. Mr. Willey stated there would be an extension of the back yard and then steps to the lower dock. Mr. Willey said most houses on the canal had some form of stair system to get to the water level to access boats. He said this plan was for a "dock on top that can't be used for a boat" and "a dock down below that a boat will pull up to."

Chair Centorino said she was concerned about the neighbors' view.

Mr. Dunckel informed the Board that in 2002 the dock had been built under a permit without a variance. He asked Mr. Malik why the permit had been granted in 2002. Mr. Malik said one neighboring property had a dock built to the same height as the Petreccias' at one time. After the docks had been destroyed, the neighbor had rebuilt the retaining wall to 5.5 feet above NGVD to comply with the code so they had not needed to request a variance.

Mr. Dunckel said the code specified that an opaque wall located on the waterfront could be no higher than 2.5 feet and there must be a 10 foot setback with landscaping. He asked if a permit had been granted for the retaining wall. Mr. Malik said this permit had not been granted. Mr. Dunckel explained that the retaining wall should be set back 10 feet from the edge of the water and no higher than 2.5 feet.

Mr. Stresau said there were only one or two properties along this canal that had this condition. He was not sure the Board should even be hearing this request if the retaining wall did not have a permit. Mr. Brewton was not sure the wall was permitted. Ms. Cokos stated they had the original plans from 1975 that showed the retaining wall built on top of the sea wall. She said she assumed the dock and retaining wall would be grandfathered in even though the code had changed.

Mr. Bond asked what the owner's hardship would be if the dock were built at the same level as the adjacent docks. Ms. Cokos said since the retaining wall had already been built, they would need to figure out a way to install stairs to be able to access the vessel that would be kept at the lower dock. She added that there was a very narrow area between the pool and the retaining wall.

Mr. Madfis said this request was "really inappropriate" and the site could be graded to meet the seawall in a transitional way. He did not feel there was a hardship on which to base the variance request.

Ms. Cokos presented four letters from nearby residents supporting the request.

Chair Centorino opened the public hearing.

Linda Herrin, neighbor to the east, said when the Petreccia's seawall collapsed, it had caused her seawall, retaining wall and her dock to collapse into the canal. When she rebuilt her dock, her contractor had informed her that she could not rebuild her dock to the old height. Ms. Herrin said allowing this request would severely interfere with her view of the waterway. She stated the Petreccias never owned a boat. Ms. Herrin explained that the Petreccia's old dock had been built without a permit in 2001. An after-the-fact permit had been issued based on the fact that her adjacent property had

been at nine feet at the time. Ms. Herrin remarked that this would not be compatible with adjacent properties.

Albert Gadol, neighbor to the west, said after the Petreccia's property was built so much higher than his, when it rained, the water would drain onto his property. Mr. Gadol had gotten a restraining order against the builder and the owner had built an additional wall to redirect the runoff into the canal. Mr. Gadol said a hurricane several years ago had destroyed his backyard and when he tried to rebuild it, he had found that the code had changed and he must build the retaining wall 10 feet from the seawall. Mr. Gadol said when the Petreccia's seawall collapsed, it had taken his seawall with it. He noticed that Mr. Petreccia was building his retaining wall in its previous place at its previous height. Mr. Gadol stated Mr. Petreccia was enlarging his property with the deck.

Shirley Gadol presented a photo of her husband with a tape measure showing the additional height of the Petreccia's seawall. She said the Petreccia's seawall had collapsed because it had been bearing too much weight. Ms. Gadol said the deck would require a fence that would further interfere with their view. She recalled that the City had made her rebuild her retaining wall at a 10-foot setback. She stated she opposed this request for a variance.

Joseph Dyke, neighbor across the canal, said he assumed when the seawall was rebuilt that the yard would be sloped down instead of built up. He said he was surprised the wall had been rebuilt and steps had not been installed. Mr. Dyke said he was very concerned about setting a precedent in the neighborhood.

There being no other members of the public wishing to address the Board on this item, Chair Centorino closed the public hearing and brought the discussion back to the Board.

Ms. Cokos said per the Department of Environmental Protection (DEP), a dock was an overwater structure. Since a portion of this structure would be over water, it was a dock, not a deck. She added that this structure would be narrower than the previous one. Ms. Cokos stated the seawall cap height was at 5.5 feet NGVD, which was within the code. She reiterated that the owner just wanted to replace what had been there previously.

Mr. Dunckel stated per the DEP, a dock must support maritime activities; if there were land-based activities on the structure, it was a deck, not a dock.

Motion made by Mr. Madfis, seconded by Mr. Cooper, to approve the application as presented. In a roll call vote, motion **failed** 7 – 0.

Mr. Madfis had checked the City's website and determined there were two open permits that had not had final inspections related to the seawall and retaining wall.

The Board took a brief break.

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3. APPEAL NO. 12-12

APPLICANT: Carlos Gomez
LEGAL: Las Olas by the Sea, Lots 8, less PT lying west of the sea, Plat 1-16B.
ZONING: ABA (A-1-A Beachfront Area)
STREET: 2941 SE 5th St
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

APPEALING: **Section 5-26 (Distance between establishments)**

Requesting a special exception to allow a restaurant to sell alcohol that is incidental to the sale of food within 25 feet from another establishment that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

Sara Dunlevy stated they had opened the restaurant one year ago and found they could not compete in this location because most surrounding businesses sold beer and wine.

Carlos Gomez confirmed that customers often asked for alcohol, and sometimes they walked out after discovering the restaurant did not serve alcohol. He did not believe his restaurant would be able to survive without offering alcohol.

Chair Centorino opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Centorino closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Madfis, seconded by Ms. Zamojski to approve the request. In a roll call vote, motion passed 6 – 1 with Mr. Cooper opposed.

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4. REQUEST FOR EXTENSION OF FINAL ORDER / CASE NO. 11-07

This matter was presented to this Board on September 14, 2011 concerning the appeal of Q Club Hotel, LLC, "Birch Oceanfront Subdivision" P.B. 19, P. 26 and all of Block D, 505 N. Fort Lauderdale Beach Boulevard, Fort Lauderdale, Florida.

Where the Appellant sought a variance from the Board under:

APPEALING: Section 47-12.5.B.5 (List of Permitted Uses, A1A Beachfront Area (ABA) District)

Requesting a variance to install fourteen (14) Wind Turbines, 8 at the lower level and 6 on the roof. (Two (2) are mounted on the front (east side) at the 2nd floor level and

extending up to the 3rd floor level. Three (3) are mounted on the South side, at the 3rd floor level and extending approximately 3 feet past the 7th floor level. Three (3) are mounted on the North side at the 3rd floor level and extending approximately 3 feet past the 7th floor level), where the Code does not list Wind Turbines as a permitted use.

APPEALING: Section 47-19.2.Z (Accessory buildings and structures, general roof mounted structures)

Requesting a variance to install six (6) Wind Turbines on a roof without screening, where Code requires that roof mounted structures such as air conditioners and satellite dish antennas be screened at least 6 inches above the top most surface of the roof mounted structure.

And the Board having heard and reviewed the evidence in this matter, it is ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF FORT LAUDERDALE THAT THE SAID APPEAL BE

GRANTED by a vote of five (5) in favor and two (2) opposed as to 6 wind turbines on the roof only, subject to the CONDITION that they meet and continue to meet the minimum specifications as present to the Board of Adjustment on September 14, 2011

DENIED AS TO REMAINDER OF THIS VARIANCE REQUEST (4-3) on the basis that the Applicant failed to prove by a preponderance of the evidence that the application met all the criteria of ULDR § 47-24.12.A.6.a.

Dated, this 12th day of October 2011

Respecting variances, special exceptions, and temporary nonconforming use permits – Pursuant to ULDR Sec. 47-24.12.A.10, unless a shorter time period is specified above, a building permit to implement the improvements authorized by this Order must be secured within **180 days** of the date of entry of this Order.

Don Hall, attorney for the applicant, reminded the Board that this variance had been granted but they had been unable to secure the building permit within the required 180 days. He stated the permit application had been filed the previous day.

Jiro Yates, architect, explained that they had received final approvals from the Planning and Zoning Board, the City Commission and DRC by January 5, 2012. He explained the complicated engineering and electrical issues they had addressed before submitting the permit application. Mr. Yates was unsure how long the permit process would take and said they were requesting another 180 days.

Mr. Willey and Chair Centorino said they would vote in favor of the extension even though they had voted against the project.

Chair Centorino opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Centorino closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Stresau, seconded by Mr. Cooper to approve the extension request. In a roll call vote, motion passed 7 – 0.

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5. APPEAL NO. 12-14

APPLICANT: Leonard Franzblau
LEGAL: Resub of Blks A,B &5 of Gateway, 25-38 B Lot 3 Less W 30,
4,5,6 Less N 25 of W Blk A
ZONING: B-1 (Boulevard Business)
STREET: 1828 E Sunrise Blvd
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: **Section 5-26 (Distance between establishments)**

Requesting a variance to allow the sale of alcohol at a distance of 220 feet from another establishment that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

Mr. Dunckel reminded that Board that this was a request for a variance, not a special exception, so they must consider the variance criteria.

Chad Crow, business operator, said the landlord approved of this request. Mr. Crow stated this would be a beer and wine lounge only, adjacent to the Gateway Theater.

Chair Centorino opened the public hearing.

Tony Hendrickson said he was in favor of this and felt it would be a positive contribution to the area.

John Lewis said he supported this as well because it would enhance the area.

There being no other members of the public wishing to address the Board on this item, Chair Centorino closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Madfis, seconded by Ms. Zamojski to approve the application. In a roll call vote, motion passed 7 – 0.

Communication to the City Commission

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None.

Report and for the Good of the City

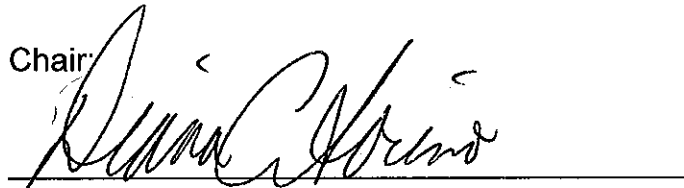
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Mr. Stresau remarked that the applications were difficult to read.

Ms. Zamojski said she would like staff to inform the Board about the status of permits for the requests and also some history when it was appropriate.

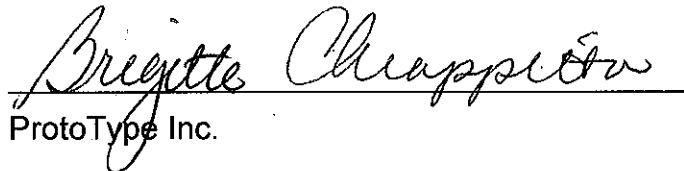
There being no further business to come before the Board, the meeting was adjourned at 9:52 p.m.

Chair:



Diana Centorino

Attest:



ProtoType Inc.

Minutes prepared by: J. Opperee, Prototype Inc.

